

## ARRIVAL OF THE "HELEN BREWER" FROM NEW YORK.

The Pacific Hardware Co., Ltd, have received by the above ship.  
Large Additions to their Stock of Goods, comprising in part:

Two Carloads of The Michigan Gar- land Stoves,	Caustic Soda,
Three Carloads of Nails,	Frazier's Axle Grease,
A Carload of Eddy Refrigerators,	Fairy Step Ladders,
A Carload of Fence Wire, Galvanized, Plain and Barbed,	Lanterns,
A Carload of Cabot's Shingle Stain,	Charcoal Irons,
A full line of Pennsylvania Lawn Mowers,	Tin Ware,
	Agricultural Tools,
	Paints, Oils, Turpentine, Pitch, etc., etc., in quantities to suit.

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## LAWS OF FISHERIES

### Plans for Saving Sea Food of Islands.

### LEGISLATION OF MANY YEARS AGO

### History of the Methods Employed for Three-Quarters of a Cen- tury Past.

**D**URING the investigation of the  
fisheries of Hawaii, made under  
the authorization of the act which  
created the government of the Terri-  
tory, Mr. Cobb, of the expedition sent  
down here, spent his time in looking  
into the history of the fisheries, and  
the laws under which they have been  
conducted ever since there was any law  
upon the subject.

In the preliminary report which has  
just been sent to Congress by the Pres-  
ident of the United States, from the  
Commissioner of Fish and Fisheries  
there is much attention paid to this  
phase of the subject, and the summary  
made of the legislation having to do  
with these matters, is most full and  
complete. The following is an abstract  
of the many laws and customs which  
have governed the fishing privileges  
from 1830 to the present time:

### LAWS RELATING TO THE FISHER- IES.

Previous to about 1830 a state of affairs  
very much resembling the feudal system  
of Europe during the middle ages ex-  
isted on the islands. The King and chiefs  
owned all the lands, while the common  
people were mere tenants at will, whose  
duty it was to support their feudal lord  
and his numerous retinue in peace by  
the sweat of their brows, and in war de-  
fend him with their lives.

A unique feature of this system was  
that not only were the lands owned by  
the chiefs but the exclusive right to fish  
in the waters of the ocean adjacent to  
the estates was in most instances con-  
sidered a part of the estates themselves,  
and as a result of this condition of af-  
fairs the common people were prevented  
from gathering from the sea, without  
vexatious restrictions and grievous ex-  
actions, that very necessary part of their  
food supply which they so much loved,  
and which the sea could furnish in abun-  
dant. The only redeeming feature in  
this was that if his landlord became too  
exact the tenant could move on to the  
land of some more lenient taskmas-  
ter. As the importance of the chief was  
determined largely by the number of ten-  
ants he had on his lands, this proved at  
times a check on the rapaciousness of  
some of the chiefs.

In order to continue this condition of  
affairs more securely in their own hands  
the ruling classes had recourse to the  
system of taboo (a corruption of the Ha-  
waiian word "kapu"). To taboo was to  
command to do or not to do, and the  
meaning of it was "obey or die." The  
taboo was a prerogative adhering exclu-  
sively to political and ecclesiastical rank,  
and was common to the Polynesian  
tribes, having been adopted and enforced  
by the priesthood and nobility as a  
protection to their lives, property and  
dignity. In nearly every instance the  
penalty for breaking a taboo was death.  
Taboos were of two kinds, perpetual and  
temporary.

The perpetual taboos were universal  
and were well known to the people. It  
was perpetual taboo, except to the high-  
er nobility, to cross the shadow of the  
king, to stand in his presence without  
permission, or to approach him except  
upon the knees. Everything pertaining  
to the priesthood and temples was un-  
der perpetual taboo. Squid, turtle, and  
two or three species of birds could be  
eaten only by the priests and taboo no-  
bility, while women were tabooed from  
eating plantains, bananas, coconuts,  
the flesh of swine and certain fish, among  
them the kumu, moano, ulua, honu, etc.  
habitu ad mai. Men and women were  
allowed under no circumstances to par-  
take of food together. This last taboo  
applied to everybody in the kingdom—  
king, nobles and common people—and  
was one of the most oppressive of the  
religious taboos, as it necessitated hav-  
ing separate eating houses for the men  
and women, thus putting everybody to  
considerable unnecessary expense and  
trouble.

The incidental and temporary taboos  
were the most oppressive and danger-  
ous to the common people, as they were  
liable to be thoughtlessly violated. The  
king and taboo nobility would taboo fa-  
vorite paths, springs, streams, and bath-  
ing places, etc., as the whim seized them.  
The general taboos declared by the  
king were proclaimed by herald, while  
the temporary taboos were notified to  
the people by a staff, surmounted by a  
crown of white or black kapa, stuck in  
the ground close to the object declared  
sacred.

The priesthood received its death blow  
in 1819, when Liholiho, the king, destroyed  
the idols and broke the worst of the  
religious taboos by eating openly with  
his queen. The common people, strange  
to relate, the priests themselves, fol-  
lowed his example, and in a few weeks  
the country was without any religion at  
all.

In the fisheries the king usually had  
certain fishes tabooed, while the chiefs  
or landlords (called "konohiki") had the  
same privilege with one species in the  
sea fisheries belonging to their respective  
estates. This taboo did not prevent the  
fishermen from catching the species so  
set apart, but they were compelled to  
hand over to the king or chiefs all or a  
portion of the catch of these species.

The advent of the American mission-  
aries in 1820, coming as it did immedi-  
ately after the destruction of the native re-  
ligion by Liholiho, was most fortunate,  
the people being ripe for a change, and  
they gladly embraced the Christian re-  
ligion after a short period of hesitation.  
The missionaries reduced the native lan-  
guage, which had been oral previously,  
to writing, and under their direction the  
people made probably the most remark-  
able advances in civilization and educa-  
tion ever witnessed among a heathen  
race. Stimulated by this great advance  
in intelligence and learning, the king,  
Kamehameha III, in conjunction with  
the chiefs and nobles, in 1829 gave the  
people a written constitution and code

of laws. The following are the provi-  
sions in this document which relate to the  
fisheries:

### CHAPTER III.—OF FREE AND PROHIBITED FISHING GROUNDS.

1. Of Free Fishing Grounds.—His Ma-  
jesty the King hereby takes the fishing  
grounds from those who now possess  
them from Hawaii to Kauai, and gives  
one portion of them to the common peo-  
ple; another portion to the landlords, and  
a portion he reserves to himself.

These are the fishing grounds which  
His Majesty the King takes and gives  
to the people: The fishing grounds with-  
out the coral reef, viz., the Kahoehoe  
grounds, the Luhe grounds, the Maloie  
ground, together with the ocean beyond.  
But the fishing grounds from the coral  
reef to the sea beach are for the land-  
lords and for the tenants of their sev-  
eral lands, but not for others. But if  
that species of fish which the landlord  
selects as his own personal portion  
should go on to the grounds which are  
given to the common people, then that  
species of fish, and that only, is tabooed;  
if the squid, then the squid only; or if  
some other species of fish, that only and  
not the squid. And thus it shall be in  
all places all over the islands; if the  
squid, that only; and if in some other  
place it be another fish, then that only  
and not the squid.

If any of the people take the fish which  
the landlord taboos for himself, this is  
the penalty: For two years he shall  
not fish at all on any fishing ground. And  
the several landlords shall give imme-  
diate notice respecting said fisherman that  
the landlords may protect their fishing  
grounds, lest he go and take fish on other  
grounds.

If there be a variety of fish on the  
ground where the landlord taboos his  
particular fish, then the tenants of his  
own land may take them, but not the  
tenants of other lands, lest they take  
also the fish taboos by the landlord.

The people shall give to the landlord  
one-third of the fish thus taken. Fur-  
thermore, there shall no duty whatever  
be laid on the fish taken by the people  
on grounds given to them, nor shall  
any canoe be taxed or taboos.

If a landlord having fishing grounds  
lay any duty on the fish taken by the  
people on their own fishing grounds, the  
penalty shall be as follows: For one full  
year his own fish shall be taboos for  
the tenants of his own particular land,  
and notice shall be given of the same,  
so that the landlord who lays a duty on  
the fish of the people may be known.

If any of the landlords lay a protective  
taboo on their fish, when the proper fish-  
ing season arrives all the people may  
take fish, and when the fish are collect-  
ed they shall be divided, one-third to the  
fishermen and two-thirds to the landlord.  
If the landlord seize all the fish and  
leave none for the fishermen, the pun-  
ishment is the same as that of the land-  
lords, who lay a duty on the fish of the  
people.

(To be Continued.)

### A Pacific Ocean Cable Urged.

The War Department has received a  
copy of resolutions recently adopted by  
the American Chamber of Commerce of  
Manila, urging upon Congress the au-  
thorization at its present session of the  
early construction of an American trans-  
Pacific cable connecting the Philippines  
with the United States by way of Ha-  
waii. The committee represents that  
such a cable is a commercial, adminis-  
trative and military necessity of the first  
importance. The suggestion is made that  
the cable be manufactured in the United  
States and laid by ships flying the United  
States flag. A request is made that a  
copy of the resolution be forwarded to  
the committee of Congress having the  
legislation in question in charge.—Wash-  
ington Star.

### Grant Coming.

SAN FRANCISCO, Feb. 5.—In accord-  
ance with orders received from the War  
Department the transport Grant will sail  
for Manila next Saturday. The only  
troops who will leave for the Philippines  
at that time are 300 casuals, now on tem-  
porary duty at the Presidio. The officers  
who will accompany the detachment are  
Lieut. Col. Charles H. Noble, Sixteenth  
Infantry; Captain F. P. Sivilier, quar-  
termaster of the Twenty-eighth Infantry;  
H. D. Blasland, Twenty-sixth Infantry;  
Lieut. H. D. Blasland, Twenty-sixth In-  
fantry; and Lieut. A. J. Woods, Sixth  
Infantry. The Grant will make a three  
days' stop at Honolulu.

### The Field Day.

There will be a meeting of the athletic  
committee of the Boys' Brigade at 5  
o'clock this evening. A program of  
events for the coming championship ath-  
letic meeting will be prepared and will  
be submitted at the meeting of club dele-  
gates to be held on Wednesday night at  
the Y. M. C. A. At today's meeting a  
design will be selected for the medals to  
be offered for the field day events. Gold,  
silver and bronze medals will be awarded  
in each event. The athletic committee  
of the Boys' Brigade consists of C. H.  
Tracy, M. A. Cheek, E. B. Clarke and  
W. W. Harris.

### May Have Been Poisoned.

The body of Aoki, a Japanese, was  
found early on Saturday morning at the  
residence of Mrs. Pahau on the Beach  
road. He had been working with the  
family for several months. The position  
of the body when found indicated that  
deceased had died in great agony, and  
the police suspect that he succumbed to  
poisoning. Professor Shorey has analyz-  
ed the man's stomach and will make his  
report at an inquest to be held today or  
tomorrow.

### McNamara Won.

The finals in the bowling tournament  
decided on Saturday night were con-  
tested by Messrs. Webster, Smith and Mc-  
Namara. Each player won one out of  
three games, but McNamara's average  
was the highest and he was declared  
winner. The scores were as follows:  
Webster 142, 109, 156, average 133; Smith  
156, 129, 109, average 128; McNamara 134,  
146, 157, average 145.

### Those Arrested.

The arrests for Saturday and Sunday  
included:  
Watanabe, assault and battery; Lehu-  
nui, vagrancy; Leong Hum, profanity;  
G. P. Grey, common nuisance; Lai-  
cen, Kaula, drunkenness; ten Chinese, gam-  
bling; Kahulla, W. Hudson, drunkenness;  
C. E. Spencer, vagrancy; Kala, Joe Sim-  
mons, Kim, Kealoha, drunkenness; Ma-  
su (w), che fa; Ekela, Pihimana (w),  
drunkenness; Clarence Relf, straggler,  
Solace; Ah On, vagrancy; Sam Moy (w),  
Wong Shua, section 59, Penal Laws.

The British government replied to Dr.  
Kuyper, the Dutch premier, that if the  
Dutch in the field negotiate for peace,  
negotiations can be entered into, but  
only in South Africa. The British gov-  
ernment adheres to its intention to not  
accept the intervention of any foreign  
power. The government today gave out  
the official correspondence.

At St. Clement's Chapel yesterday  
morning special prayers were offered  
for the sailors of the Condor. At the  
conclusion of the service the "Dead  
March in Saul" was played.

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